IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 778 OF 2006
IN
INTERIM PETITION NO. 256 OF 2006
IN
ARBITRATION PETITION NO. 470 OF 2002

Dharamdas s/o Vanmalidas Sanghavi] .. Appellant (Ori.Petitioner)

Versus

1. Lalitkumar V. Sanghavi & 4 ors.] .. Respondents (Ori.Res.2 to 5)

Mr. D.S. Chandnani for the appellant.

Mr. Bhavik Mehta i/b M/s. Dhruve Liladhar & Co. for the respondent No.1.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 06TH NOVEMBER, 2006

P.C. :

. We heard the counsel for the appellant and perused the impugned order.

2. The learned single Judge has observed in the order that the present appellant (petitioner therein) has already made an application before the Arbitrator for the reliefs that have been prayed for in the Arbitration Petition. That the application for the self-same reliefs has been made to the Arbitrator is not

disputed by the counsel for the appellant before us. In this view of the matter, we are satisfied that the learned single Judge was justified in not entertaining the Petition. The Arbitrator shall be free to decide all the issues raised in the application made before it and pass an appropriate order.

3. No case for interference is made out.

4. Appeal stands disposed of accordingly.

5. We expect the Arbitrator to decide the dispute expeditiously.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]